

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICKEY A. BEAVER,

Plaintiff,

v.

CITY OF FEDERAL WAY, *et al.*,

Defendants.

CASE NO. C05-1938-MJP-JPD

ORDER DENYING JOINT MOTION
FOR EXTENSION OF TIME

Defendants have filed a motion for a 30-day extension of time to file a Joint Pretrial Statement. (Dkt. #29). Plaintiff has joined in the motion, and the Honorable Marsha J. Pechman has referred the motion to me for consideration. (Dkt. #32). Having considered the motion and the balance of the record, the court does hereby find and ORDER as follows:


(1) The Court previously issued a Pretrial Order setting forth September 11, 2006 as the deadline for the Joint Pretrial Statement. (Dkt. #17 at 3). The Order also provided that “[i]f, however, on that date a motion is pending that would dispose of the entire case, then the deadline for the Joint Pretrial Statement *is extended* until thirty days after the District Judge issues a final order resolving the dispositive motion.” (*Id.*) (emphasis added). This language was intended to be self-executing and to obviate the need for the parties to seek an extension of time such as sought here.

The Court’s Report and Recommendation (“R&R”) on defendants’ motion for summary judgment is pending before Judge Pechman. Therefore, by operation of the above-quoted language from the Pretrial Order, the deadline for the Joint Pretrial Statement is 30 days after the date that

1 Judge Pechman rules on the pending R&R. Accordingly, the parties' joint motion for an extension
2 of time is DENIED as unnecessary.

3 (2) The Clerk shall forward a copy of this Order to plaintiff, to counsel for defendants,
4 and to Judge Pechman.

5 DATED this 19th day of September, 2006.

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7 JAMES P. DONOHUE
8 United States Magistrate Judge
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